GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department – Forest Clearance - Diversion of 0.49 ha (proposed area 0.31 ha & existing area 0.18 ha) of forest land in Compartment No.564 of Seethakonda forest block and Compartment No.965 of Gudilavanipalem SB Forest Block in Visakhapatnam Range of Visakhapatnam Division for periodical maintenance of Visakhapatnam-Bheemunipatnam Beach road in favour of Executive Engineer, (R&B) Circle, Seethammadhara, Visakhapatnam – In-principle (stage-I) approval - Accorded.

ENVIRONEMNT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.65 Dated.19.09.2023

Read the following:-

1)Comprehensive guidelines issued by GoI, MoEF&CC, New Delhi in letter F.No.5-2/2017-FC, dated 28.03.2019.
2)From the PCCF & HoFF, Lr.Rc.No.EFS02/15034/5/2023-FCA-SEC PCCF/FCA-3, dated 31.08.2023.

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ORDER:

In the letter 2nd read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Mangalagiri, Guntur has submitted a proposal for diversion of 0.49 ha (proposed area 0.31 ha & existing area 0.18 ha) of forest land in Compartment No.564 of Seethakonda forest block and Compartment No.965 of Gudilavanipalem SB Forest Block in Visakhapatnam Range of Visakhapatnam Division for periodical maintenance of Visakhapatnam-Bheemunipatnam Beach road in favour of Executive Engineer, (R&B) Circle, Seethammadhara, Visakhapatnam and requested to accord necessary permission under general approval category as per the powers delegated by the Government of India, Ministry of Environment, Forest & Science & Technology, New Delhi in the letter 1st read above.

2. After careful consideration of the proposal and in view of the powers delegated by the Government of India, Ministry of Environment, Forest & Climate Change, New Delhi in the letter 1st read above, Government hereby accord in-principle (Stage-I) approval under section-2 of the Forest (Conservation) Act, 1980 for diversion of 0.49 ha (proposed area 0.31 ha & existing area 0.18 ha) of forest land in Compartment No.564 of Seethakonda forest block and Compartment No.965 of Gudilavanipalem SB Forest Block in Visakhapatnam Range of Visakhapatnam Division for periodical maintenance of Visakhapatnam-Bheemunipatnam Beach road in favour of Executive Engineer, (R&B) Circle, Seethammadhara, Visakhapatnam, subject to the following conditions:

i. Legal status of the diverted forest land shall remain unchanged;

ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency;

iii. The State Forest Department shall carry out compensatory afforestation (ten times the trees to be felled in the proposed area for diversion i.e., 54x10=540 number of plants) in the degraded forest land at the cost of the User Agency. Detail of DFL area i.e., Map along with DGPS co-ordinates, CA scheme etc. shall be submitted along with the compliance report;

iv. The State Government shall charge the Net Present Value of the diverted forest land measuring 0.49 ha from the User Agency as per the orders of the Hon'ble

Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995 and Ministry's guideline No.5-3/2011-FC(Vol-1) dated 06.01.2022 and clarification issued vide letter dated 19.01.2022 and 22.03.2022;

v. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency. The User Agency shall furnish an undertaking to this effect;

vi. As proposed by the District Forest Officer, Visakhapatnam, the State Forest Department may erect display board at starting and ending point showing details of forest land involved in diversion and clearly mentioning the status of land as "Forest land" at the cost of the User Agency and an amount of Rs.20.00 lakh to be deposited by User Agency with the District Forest Officer, Visakhapatnam for taking up awareness generation and interpretation activities as well as eco-tourism in existing area;

vii. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal *(https ://parivesh.nic.in//)*;

viii. The User Agency shall obtain all such clearances required for the project including CRZ clearance and ESZ Clearance, prior to the execution of the work and the State Forest Department shall ensure strict compliance to that effect;

ix. Felling of trees shall be carried out wherever necessary and with strict supervision of State Forest Department. The User Agency shall carry out translocation of trees wherever feasible in consultation with DFO concerned, at the project cost;

x. The User Agency shall erect yellow and black road number strips at regular intervals along the bend and proposed diverted area to prevent road accidents;

xi. The User Agency shall construct retaining walls and check walls wherever required, by consulting the DFO concerned so as to stabilize the soil;

xii. The dug out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;

xiii. The layout plan of the proposal shall not be changed without the prior approval of the State Government;

xiv. The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;

xv. Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;

xvi. The total forest area utilized for the project shall not exceed **0.49 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal. The User Agency shall furnish an undertaking to this effect;

xvii. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the State Government;

xviii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

xix. The User Agency and the State Forest Department shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

xx. Any other conditions that the Central Government or State Government, may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;

xxi. In the event of failure to comply with any of the above conditions, the User Agency is liable for penal action as per the rules/guidelines issued under FCA, 1980;

xxii. The State Forest Department shall process and submit compliance report on the above conditions through e - portal *(https ://parivesh.nic.in/ /)*;

3. After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years from the date of issue of this order. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

4. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Mangalagiri, Guntur.

Copy to:

The Government of India,
Ministry of Environment, Forest & Climate Change,
Regional Office, Chennai, Sub-office at Vijayawada,
Green House Complex, Gopal Reddy Road,
Vijayawada-520010.
The Executive Engineer, (R&B) Circle, Seethammadhara, Visakhapatnam.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER